

Tom Green County Commissioners' Court
April 9, 2002

The Commissioners' Court of Tom Green County, Texas, met in Regular Session April 9, 2002 in the Edd B. Keyes Building, with the following members present:

- Clayton Friend, Commissioner of Precinct #1
- Karl Bookter, Commissioner of Precinct #2
- Jodie R. Weeks, Commissioner of Precinct #3
- Richard Easingwood, Commissioner of Precinct #4
- Michael D. Brown, County Judge
- Elizabeth McGill, County Clerk and Ex-officio Clerk of the Commissioners' Court

County Judge, Mike Brown, called the meeting to order at 8:04 AM

Judge Brown recessed the Regular meeting to go into Executive Session.

Judge Brown reconvened the Regular meeting in open session at 8:40 AM

The Pledge of Allegiance was recited and **Commissioner Weeks** offered the invocation.

Judge Brown and the Commissioners welcomed the Senior Class from Water Valley and Veribest High Schools and commended them for their participation in learning how County Government works. They also welcomed Jim Lewis, editor of County Magazine, who will be doing an article on County Government in this next months issue and will feature the Tom Green County Court.

7. Commissioner Weeks moved to approve the Consent Agenda as presented. Motion was seconded by Commissioner Friend:

- A. Approved the minutes of the from the Regular Meeting, March 26, 2002.
- B. Approved the Minutes from the Accounts Allowable from 3/27/02 through 4/2/02 in the amount of \$951,434.10 and from 4/3 – 9/02 in the amount of \$ 360,288.39 for a combined total of \$ 1,311,722.49; Purchase Orders from 3/25 –29/02 in the amount of \$27,134.62 and from 4/1 -5/ 02 in the amount of \$25,644.35 for a total of \$52,778.97 .
- C. Accepted Personnel Actions as presented:

The following salary expenditures are being presented for your *Approval*:

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>ACTION</u> | <u>EFF. DATE</u> | <u>GRADE/ STEP</u> | <u>SALARY</u> | |
|----------------------|--------------------------|----------------------|-------------------------|-------------------------------|----------------------|-----|
| Bollinger, Monica R. | Jail | Promotion | 04/08/02 | 18/1 | \$ 919.30 | S/M |
| Gutierrez, Daniel M. | Jail | Demotion | 04/03/02 | 16/1 | \$ 832.10 | S/M |
| Foley, Monica G. | Juv Detention (043) | New Hire | 04/04/02 | Standby | \$ 5.50 | /HR |
| Lopez, Richard A. | Parks/Solid Waste | New Hire | 04/05/02 | Standby | \$ 6.00 | /HR |
| Phillips, Martin D. | RKR Post Adjud | Prom./Status Chg | 04/01/02 | N/A | \$ 736.66 | /HR |
| Vordick, Charles | RKR Post Adjud | New Hire | 03/25/02 | Standby | \$ 8.50 | /HR |
| Watson, Joshua J. | RKR Post Adjud | Demo./Status Chg | 04/08/02 | Standby | \$ 8.50 | /HR |
| Hind, Winona A. | Sheriff | Extension | 03/18/02 | P/T | \$ 5.50 | /HR |

The following personnel actions are presented for *Acknowledgement* and as a matter of record:

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>ACTION</u> | <u>EFF. DATE</u> | <u>GRADE /STEP</u> | <u>SALARY</u> | |
|---------------------|--------------------------|----------------------|-------------------------|-------------------------------|----------------------|-----|
| Ortegon, Josie D. | DA - FFVU | Dismissal | 04/02/02 | N/A | \$ 939.59 | S/M |
| Rennich, Robert R. | DA | Resignation | 04/12/02 | N/A | \$1932.42 | S/M |
| Dannheim, Angela S. | Jail | Job Abandonment | 03/31/02 | 16/1 | \$ 832.10 | S/M |
| Kaufman, Ryan J. | Jail | Resignation | 04/26/02 | 16/1 | \$ 832.10 | S/M |
| Guerrero, Yvette M. | CSCD (282) | Promotion & Trnsf | 04/01/02 | N/A | \$ 828.17 | S/M |
| Rowe, Linda L. | CSCD (218) | Salary Increase | 11/16/01 | N/A | \$1036.92 | S/M |

D. John Begnaud, Extension Horticulturist, presented Certificates from the V.G. Young Institute at A & M University for continuing education credits toward required hours for Clerk's yearly certification to Sheri Woodfin, District Clerk and Elizabeth McGill, County Clerk.

E. Acknowledged continuing education credits for the Commissioners as a matter of record toward required yearly hours for certification.

F. Approved the Permit Application and the Permit required for Sexually Oriented Businesses as requirements of the Sexually Oriented Business Regulations adopted March 26, 2002 with a clarification regarding the 1500 feet distance requirement to read "1500 feet from door to door".

G. Set May 3, 2002 as the opening date for RFB 02-010 "Office Supplies".

- H. Set May 3, 2002 as the opening date for RFB 02-009 "Prescription Drugs".
- I. Approved placing an order with Faubion Implement Company for a "Bushhog" 15 foot Batwing mower in the amount of \$10,675.00 for Road & Bridge Precincts 1 & 3.
- J. Approved request to install Potable Water lines and related appurtenances on Pacific Road, Atlantic Road and Cactus Lane in Precinct 3, by the City of San Angelo Public Works Department.
- K. Approved request for authorization to use temporary personnel for administrative functions for the Justice Courts on an as-needed basis with cost to be taken out of Court Transaction Funds.
- L. Approved notice from Verizon for a service line starting at the intersection of Zuni Avenue on Navajo Road in the northwest corner to bore and push a 2 inch GT80 for 50 feet, then directly bury for 575 feet. All to be in a westerly direction with a minimum of 30 inches in depth and within 4 feet of right of way.
- M. Acknowledged for the record the execution of a Tax Resale deed on the following property:
 A 53 feet by 150 feet tract of real property, being the east 50 feet of Lots 12, 13 and 14 out of Block 21, Lakeview Addition and the adjacent west 3 feet of what was formerly known as Lake Boulevard, as described in Volume 577, Page 233 of the Deed Records of Tom Green County, Texas; approved by the Commissioners' Court January 17, 1996.

All voted in favor of the motion.

- 8. Judge Brown moved to authorize Tom Green County, by and through it's counsel, to enter into settlement negotiations with Viggers Construction, Inc. in reference to the disputes relating to the Roy K. Robb Post Adjudication Juvenile Boys Substance Abuse Treatment Facility and the Tom Green County Justice Center, Phase I and further authorize County Judge Michael D. Brown to execute the settlement agreements as agreed upon by the parties. Commissioner Easingwood seconded the motion and all voted in favor.
- 16. Judge Brown moved to authorize Tom Green County, by and through it's counsel, to resolve and settle the claim asserted against Tom Green County and the Tom Green County Sheriff's Department by Ronald Loyd Allen for the total sum of \$ 8,566.69. The motion was seconded by Commissioner Weeks and all voted in favor.

8A. Commissioner Easingwood moved to authorize the County Judge to execute the Exchange Special Warranty Deed between the City of San Angelo and Tom Green County for 20 acre tracts of land to be used for a new 4-H facility, subject to the approval of Keith Davis, Tom Green County Counsel, Mindy Ward, Counsel for the City of San Angelo, John Begnaud, Extension Service and Judge Brown. Commissioner Bookter seconded the motion and all voted in favor.

- 9. Dianna Spieker, County Treasurer, and Julia Stout, Legacy and Web TPA, explained that the employee self funded insurance run out amounts. There are still 15 claims to be processed this next month in an amount of approximately \$400.00. The amount budgeted for this run-out should be close to the amount of final payout. A final report will be presented after the close of April's expenses.

No action was taken by the Court.

The students left the Court at this time, to go on tours of the different offices to get a more in depth idea of the variety of services and jobs done throughout County Government.

- 10. Herb Straach (Templeton Construction) reported to the Court that in Phase II, plumbers are changing the piping and valves for the plumbing chases. There is miscellaneous steel being cleaned and installed. They are finishing plastering and the prep work for the painting is being done by the inmate work crew. The electricians are pulling wires for the fire alarms and the smoke alarms and security wiring is being installed.
 In Phase III, the painting is continuing, the millwork in the remaining courtroom will be installed this week. The ceramic tile is being installed in the bathrooms and the electrical work is continuing. No final date was given. The state fire marshal may require more electronic work on the outside doors. Kenny Burns will be checking on this.
- 11. Ron Bruno, Parker County Residential Treatment Center, Inc., explained to the Court that his facility is currently a 50 bed facility for levels 5 & 6 type youth which are high security.

James Saffle and Scott Williams, Southern Corrections, Inc. a subsidiary of Avalon Correction Facility, which is located in Oklahoma with an 80 to 100 bed facility.

Both operations indicated they would offer the existing staff the opportunity to make application and continue with their employment at the facility. They will probably continue the current curriculum that is being used and both stated they would be willing to undertake the management of the facility immediately, if necessary. They both indicated that if the need was there, they would like to enlarge the facility, but Mr. Bruno did state that he felt that facilities of this type, could become "too large" to be effective. Lengthy discussion and questions were addressed with the basic decision being whether or not the County wished to continue a facility that was originally built for an outside, for interest, leasing proposal or to undertake the management of the facility on a full term basis.

Commissioner Weeks moved to award RFP 02-004 "Management and Operation of Roy K. Robb Post Adjudication Drug Treatment Facility" to Southern Correction System, Inc., a division of Avalon Correction Services subject to contractual negotiations and agreements between both party's, by and through attorney's for Tom Green County and Avalon to be signed by Judge Brown; Tom Green County will continue operation and management until such a time as the contracts and agreements are signed. All negotiations and contracts need to be entered into so the assumption of operations could be transferred by June 1, 2002. Commissioner Easingwood seconded the motion and all voted in favor.

12. **Judge Brown moved to approve the changes in the Juvenile Accountability Incentive Block Grant that had been approved at the January 22, 2002, and authorize the County Judge to sign all necessary papers. Commissioner Easingwood and all voted in favor.**
13. Pat Malloy, member of the Chamber of Commerce, requested a personal property tax abatement on behalf of DCS, Inc., (Diversified Collection Services) who is relocating an expansion of there operations to the Sunset Crossing Shopping Center. The request is for 75% of personal property for 5 years. This would create new jobs and has provisions in the contract that verifies the numbers proposed to be employed. The number of employees projected to be 100 within the first year. They exceed the minimum compliance requirements for consideration of the tax abatement process. Other facilities are located in California and Oregon.

Judge Brown moved to extend and approve a 5 year tax abatement on personal property between Tom Green County and DCS Inc., to be located in the Sunset Crossing Shopping Center with a statement sent to the Tom Green County Judge each year. Commissioner Easingwood seconded the motion and all voted in favor.

14. Curtis Nelson, developer, requested approval of his plat for Big Sky Estates.
Joyce Nance, resident across from the proposed development, stated that the water pressure, which is through a public water provider, is already so bad that she cannot turn on more than one faucet at a time in her home, without the pressure falling drastically. She objected to the finalization of this development until a larger water line is installed. She has 2 personal wells that are so low that they have been hooked together to provide enough water for their livestock.

Commissioner Weeks moved to approve the plat for the Big Sky Estates Subdivision as presented, subject to the payment of the required application fee. The motion was seconded by Judge Brown.

15. **Judge Brown moved to adopt the Proclamation for Assault Victim Services designation April 2002 as Sexual Assault Awareness Month. Commissioner Friend seconded the motion and all voted in favor.**

Judge Brown thanked E'Lisa Smetana for presenting the Proclamation.

17. There was some discussion regarding a pipeline that was buried within the roadway of Tweedy Road in error, instead of the right of way. Consultations will be administered and then the Court will take further actions on this matter at a later date. October 23, 1996, Thomas K. Payne presented a right of way map and was approved for the right of way. February 26, 1997 Court Minutes indicate that the schematic was recorded in the Commissioners' Court Minutes. **No formal action was taken on this matter at this time.**
18. Joe Lane, Information Technology, was not present. The report was postponed until the next meeting.
19. **Judge Brown moved to authorize the Continuing System Membership in the Texas Library Systems and authorize the County Judge to sign the necessary documentation. Commissioner Friend seconded the motion and all voted in favor.**
20. **Commissioner Bookter moved that we enter into an agreement with Steelcase through an authorized dealer, doing business as West Office Supply. Commissioner Weeks seconded the motion and all voted in favor.**
21. **Commissioner Weeks moved to approve the new pricing by ARAMARK for the price of food services provided to the Justice Center of Tom Green County to be effective 4-01-02 through 3-31-03. The motion was seconded by Commissioner Friend and all voted in favor.**
22. This item was table by Judge Brown because negotiations are still in progress.
23. **This item was approved in the March 26, 2002 meeting.**
24. Commissioner Easingwood presented a request from the Christoval Masonic Lodge for a property tax exemption for organizations engaged in charitable activities based on HB 1689. The HB further states that through a petition of at least 20% of qualified voters that voted in the last election, then the issue can be placed on the ballot for the voter's to decide on. Due to the increased number of these and the

loss of County revenue, the matter was tabled until a more complete list of applications and cost due to revenue loss can be obtained from the Appraisal District.

25. Judge Brown moved to ratify and confirm the Resolution of the Concho Valley Council of Governments for a Regional Solid Waste Grants Program Grant and authorize Judge Brown to sign all necessary documents on behalf of Tom Green County. Commissioner Friend seconded the motion and all voted in favor.

26. There was a length discussion regarding Local Government Rule 232.09 – f , pertaining to the requirements regarding whether or not notification must be made to adjacent land owners of a replat when lots are being combined instead of being divided. **There was no action regarding the Tom Green County Subdivision and Manufactured Home Rental Community Development Regulations.**

27. Commissioner Weeks moved to approve the following line item transfer:

Fund: 001 General Fund

| | <u>Department</u> | <u>Account</u> | <u>Budget Increase</u> | <u>Budget Decrease</u> |
|-----|------------------------|----------------------|------------------------|------------------------|
| 008 | Information Technology | 0475 Equipment | 135.00 | |
| 008 | Information Technology | 0301 Office Supplies | | 135.00 |

Commissioner Easingwood seconded the motion and all voted in favor.

Future Agenda Items:

1. Consider approval of Replat of Dove Creek Section 4, Block 8, Tracts 9&10 (William Fuller)
2. Consent Agenda:
 - a. Consider approval of Extension Services travel report.
 - b. Consider approval of Indigent Health Services monthly report.
 - c. Consider notices from Verizon.
3. Consider response from TKP, Inc.
4. Consider request by T.A. Weeks to install line under County Road.
5. Consider approval of tree planting plan submitted by John Begnaud.

Announcement:

1. Next Commissioners' Court Meeting will be April 23 , 2002.
2. Employee appreciation day.
3. Go vote today.

Meeting was adjourned at 11:42 AM

Michael D. Brown, County Judge

Elizabeth McGill, County Clerk and Ex-officio Clerk of the Commissioners' Court